

USDOL/OALJ Reporter

[*Harris v. Tennessee Valley Authority*](#), 89-ERA-47 (ALJ Dec. 19, 1990)

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U.S. Department of Labor
Office of Administrative Law Judges
525 Vine Street, Suite 900
Cincinnati, Ohio 45202

DATE ISSUED: December 19, 1990

CASE NO: 89-ERA-47

IN THE MATTER OF

ANN P. HARRIS,
Complainant,

v.

TENNESSEE VALLEY AUTHORITY,
Respondent.

RECOMMENDED ORDER OF DISMISSAL

This proceeding arises under Section 210 of the Energy Reorganization Act of 1974, 42 U.S.C. § 5851, and the regulations promulgated thereunder, 29 C.F.R. Part 24. A formal hearing was held in this matter on November 15, 1989 at Knoxville, Tennessee and the record was closed on September 2, 1990.

On December 17, 1990, counsel submitted a Stipulation of Dismissal, Joint Motion for Dismissal and a Memorandum of Understanding and Agreement. The Memorandum of Understanding and Agreement is executed by the complainant, her counsel and Dwight E. Nunn, on behalf of Tennessee Valley Authority. The parties, through complainant's counsel, W. P. Boone Dougherty, and respondent's counsel, Justin M. Schwamm, Sr., jointly move for an order recommending the Secretary of Labor dismiss this case with full prejudice.

After carefully considering the Memorandum of Understanding and Agreement, which is incorporated herein by reference, I find it to be fair, adequate and reasonable. I believe it is in the public interest to adopt the Memorandum of Understanding and Agreement of the parties as the basis for disposing of this case administratively. Therefore, IT IS

HEREBY RECOMMENDED to the Secretary of Labor that the settlement be approved and that this case be dismissed with prejudice as requested by the parties.

DONALD W. MOSSER
ADMINISTRATIVE LAW JUDGE